

IN RE: PETITION FOR ADMIN. VARIANCE
SE/S of Bellvue Road, 977' SE of
the centerline of Bradshaw Road
11th Election District
5th Councilmanic District
(11719 Bellvue Avenue)

Joe & Helen Ruppel
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 99-514-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Joe & Helen Ruppel, property owners, for that property known as 11719 Bellvue Avenue in the Kingsville area of Baltimore County. The Petitioners herein seek a variance from Sections 1B02.3.B and 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 13 ft. in lieu of the required 15 ft. to build an addition and an existing garage to be located in the sideyard in lieu of the required rear yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORIGINAL RECEIVED FOR FILING


8/2/99

By

R. J. [Signature]

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County
 this 2nd day of August, 1999 that a variance from Sections 1B02.3.B and 400.1 of the Baltimore
 County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 13 ft. in lieu of the required
 15 ft. to build an addition and an existing garage to be located in the sideyard in lieu of the required
 rear yard, be and is hereby GRANTED, subject, however, to the following restriction which is a
 condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

100

4

TMK:raj



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 2, 1999

Mr. & Mrs. Joe Ruppel
11719 Bellvue Avenue
Kingsville, Maryland 21087

Re: Petition for Administrative Variance
Case No. 99-514-A
Property: 11719 Bellvue Avenue

Dear Mr. & Mrs. Ruppel:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 11719 BELLVUE AVENUE
which is presently zoned R.C.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1002.3.B & 400.1 ; R2R, (R2, R20 1960) TO PERMIT A SIDE YARD SET BACK OF 13 FT. IN LIEU OF THE REQUIRED 15 FT. FOR AN ADDITION AND AN EXISTING GARAGE TO BE LOCATED IN THE SIDEYARD IN LIEU OF THE REQUIRE REAR YARD

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form. ZONING REGULATIONS CANNOT BE MET (1) PROPOSED ADDITION WILL BE LESS THAN 15 FEET OF SIDE OF PROPERTY. (2) WHEN PROPOSED ADDITION IS BUILT THE GARAGE WILL NO LONGER BE IN BACK YARD BUT SIDE OF YARD.
Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 99 day of June that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO.

99-514A

Reviewed By

JCM

Date

6-17-99

Estimated Posting Date

6-27-99

REV 9/15/98

A RECEIVED FOR FILE

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

11719 BELLVUE AVENUE
Address
KINGSVILLE MD. 21081
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

MR. AND MRS. RUPPEL HAVE HEALTH PROBLEMS. MR. RUPPEL HAD A HZP REPLACEMENT. IT IS BECOMING DIFFICULT FOR HIM TO GO UP AND DOWN STEPS. CURRENTLY, THE EXISTING FAMILY ROOM AND LAUNDRY ROOM ARE IN THE BASEMENT. ALSO, MR. RUPPEL HAS HEARING TROUBLE. IF HE IS DOWNSTAIRS, HE CANNOT HEAR HIS WIFE UPSTAIRS. MRS. RUPPEL HAS HEART TROUBLE. SHE HAS BEEN IN AND OUT OF THE HOSPITAL. HER RECOVERIES ARE LONG AND REQUIRES ASSISTANCE AT HOME. THE ADDITION WILL CONSIST OF A FAMILY ROOM, DINING ROOM, LAUNDRY ROOM AND LARGE MASTER BEDROOM WITH A MASTER BATH. THIS ADDITION WOULD MAKE LIFE EASIER FOR MR AND MRS RUPPEL.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Helen Ruppel
Signature
HELEN RUPPEL
Name - Type or Print

Joe Ruppel
Signature
JOE RUPPEL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9 day of June, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Helen Ruppel. JOE RUPPEL

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

6/9/99
Date

Carlene F. Hyslop
Notary Public
My Commission Expires 12/01/01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

11719 BELLVUE AVENUE
Address
KINGSVILLE MD. 21087
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

MR AND MRS. RUPPEL BOTH HAVE HEALTH PROBLEMS. MR. RUPPEL HAD A HIP REPLACEMENT. IT IS BECOMING DIFFICULT FOR HIM TO GO UP AND DOWN STEPS. CURRENTLY, THE EXISTING FAMILY ROOM AND LAUNDRY ROOM ARE IN THE BASEMENT. ALSO, MR. RUPPEL HAS HEARING TROUBLE. IF HE IS DOWNSTAIRS, HE CANNOT HEAR HIS WIFE UPSTAIRS. MRS. RUPPEL HAS HEART ~~PROBLEMS~~ TROUBLE. SHE HAS BEEN IN AND OUT OF THE HOSPITAL. ~~HER~~ RECOVERIES ARE LONG AND REQUIRES ASSISTANCE AT HOME. THE ADDITION WILL CONSIST OF A FAMILY ROOM, DINING ROOM, LAUNDRY ROOM AND LARGE MASTER BEDROOM WITH A MASTER BATH. THIS ADDITION WOULD MAKE LIFE EASIER FOR MR. AND MRS. RUPPEL.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Helen Ruppel
Signature
HELEN RUPPEL
Name - Type or Print

Joe Ruppel
Signature
JOE RUPPEL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9 day of June, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Helen Ruppel & JOE RUPPEL

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

6/9/99
Date

Arlene F. Hughes
Notary Public
My Commission Expires 12/01/01



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 11719 BELLVUE AVENUE
which is presently zoned R.C. 5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B & 400.1; BCZR (DR2, R20 1960) TO PERMIT A SIDEYARD SETBACK OF 13 FT. IN LIEU OF THE REQUIRED 15 FEET FOR AN ADDITION AND AN EXISTING GARAGE TO BE LOCATED IN THE SIDEYARD IN LIEU OF THE REQUIRED REAR YARD

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form. ZONING REGULATIONS CANNOT BE MET (1) PROPOSED ADDITION WILL BE LESS THAN 15 FEET OFF SIDE OF PROPERTY. (2) WHEN PROPOSED ADDITION IS BUILT THE GARAGE WILL NO LONGER BE IN BACK YARD BUT SIDE OF YARD.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

JOE RUPPEL
Name - Type or Print _____
Signature Joe Ruppel _____
HELEN RUPPEL
Name - Type or Print _____
Signature Helen Ruppel _____
11719 BELLVUE AVENUE HOME
Address _____ Telephone No. 410-592-6324
KINGSVILLE MD. 21087
City _____ State _____ Zip Code _____

Representative to be Contacted:

JOHN HOKE
Name _____
2810 BROCKTON DRIVE 410-893-6127
Address _____ Telephone No. _____
KINGSVILLE MD. 21087
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-514A

REV 9/15/98

Reviewed By JCM Date 6-17-99
Estimated Posting Date 6-27-99

ZONING DESCRIPTION

ZONING DESCRIPTION FOR 11719 BELLVUE AVENUE

BEGINNING AT A POINT ON THE SOUTHEAST SIDE
OF BELLVUE ROAD WHICH IS 50 FEET WIDE
AT THE DISTANCE OF 977 FEET SOUTHEAST
OF THE CENTER LINE OF THE NEAREST
IMPROVED INTERSECTING STREET BRADSHAW ROAD
WHICH IS 50 FEET WIDE.

TYPICAL METES AND BOUNDS

N $57^{\circ}40'00''$ E 106.28', S $41^{\circ}14'00''$ E 249.50 FEET,
S $48^{\circ}29'30''$ W 105.00 FEET, N $41^{\circ}14'00''$ W 266.43 FEET
TO THE PLACE OF BEGINNING

BEING LOT #2 BLOCK B SECTION?
IN SUBDIVISION OF NEDROW PROPERTY
AS RECORDED IN BALTIMORE COUNTY
PLAT BOOK # 27, FOLIO #129 CONTAINING
27094 SQUARE FEET. ALSO: KNOWN AS
11719 BELLVUE AVENUE AND LOCATED IN
THE 11TH ELECTION DISTRICT, ~~###~~ ?
COUNCILLMAN'S DISTRICT

514

99.514-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

514

No. 069895

DATE

6-17-99

ACCOUNT

Bo. 1-6150

AMOUNT

\$

50.00

RECEIVED
FROM:

J. Ruppel

11719. Bg 14.98

FOR:

(6010) Ad. Vm

99-514-A

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JLM

CASHIER'S VALIDATION

PAID RECEIPT

PROCESS

ACTUAL

TIME

6/18/1999

6/17/1999 14:56:35

REG 1602

CASHIER LBN LXS DRAWER

DEPT 5

520 ZONING VERIFICATION

RECEIPT #

096045

SER. NO.

069895

Receipt Tot

50.00

50.00 EX

.00 TA

Baltimore County, Maryland

CERTIFICATE OF POSTING

RE: Case No.: 99-514-A

Petitioner/Developer: _____

JOE RUPPEL

Date of Hearing/Closing: 7/12/99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

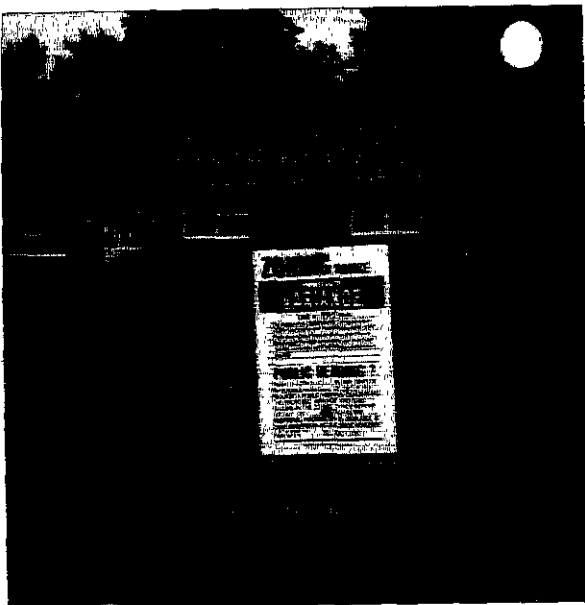
Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

11719 BELLVUE AVE

The sign(s) were posted on 6/27/99
(Month, Day, Year)



Sincerely,

Richard E. Hoffman 6/27/99
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

CASE # 99-514-A
11719 BELLVUE AVE
POSTED 6/27/99

Richard E. Hoffman 6/27/99

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 514
Petitioner: Joe Ruppel
Address or Location: 11719 BELLVUE AVENUE KINGSVILLE
MD. 21087

PLEASE FORWARD ADVERTISING BILL TO:

Name: GUNPOWDER BUILDERS INC.
Address: 2810 BRACKTON DRIVE
KINGSVILLE, MD 21087
Telephone Number: 410-893-6127

Revised 2/20/98 - SCJ

99-514-A - 16 -

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 514 -A Address 11719 Bellvue Ave.
Contact Person: J. Murphy Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 6-17-99 Posting Date: 6-27-99 Closing Date: 7-12-99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99- 514 -A Address 11719 Bellvue Ave.
Petitioner's Name ~~J. Murphy~~ Joe Ruppel Telephone (410) 895-592-6324
Posting Date: 6-27-99 Closing Date: 7-12-99
Wording for Sign: A VARIANCE To Permit A SIDEYARD SETBACK of 13 ft. IN LIEU of The Required 15 ft. for an addition and an existing GARAGE TO BE LOCATED IN THE SIDEYARD IN LIEU of The Required REAR YARD.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 13, 1999

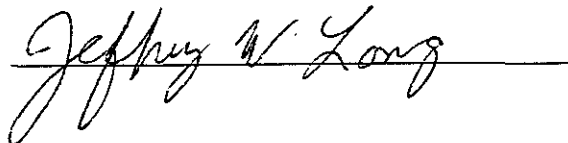
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

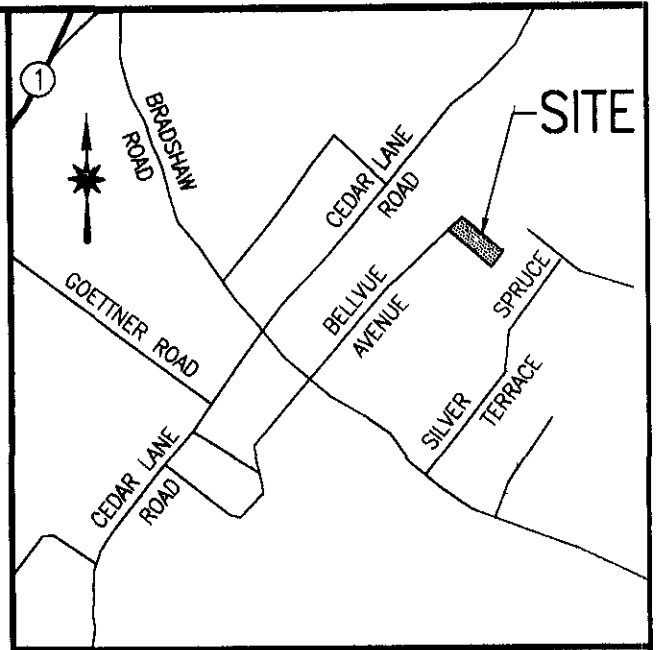
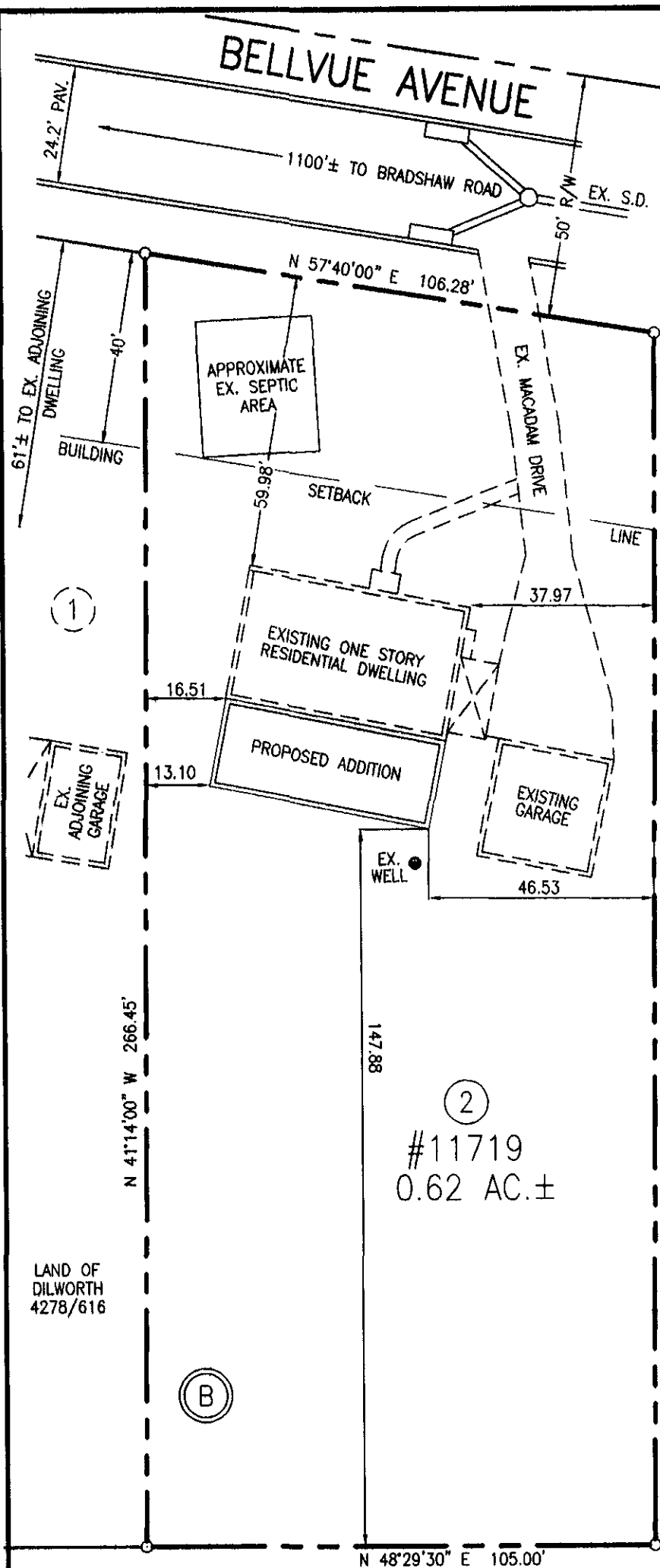
The Office of Planning has no comment on the following petition(s):
Item No(s): 502, 514, 520, and 524

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

A handwritten signature in cursive script, reading "Jeffrey W. Long", is written over a horizontal line.

AFK/JL



LAND OF
SANDRA LEE SALVO
REVOCABLE TRUST
11220/629

CHESAPEAKE BAY CRITICAL AREA: NO
PRIOR ZONING HEARING: NONE
COUNCILMANIC DIST: 5
E.D. # 11
ZONING: RC-5
1"=800' SCALE MAP #, NE-J14
LOT SIZE 0.62 AC.±
SEWER: PRIVATE
WATER: ~~MUNICIPAL~~ PRIVATE

OWNERS:
JOSEPH A. RUPPEL
HELEN G. RUPPEL
11719 BELLVUE AVENUE
KINGSVILLE, MARYLAND 21087-1615

DEED REF: 4278/616
PLAT REF: W.J.R. 27-129

M:\BUILDERS\SERVICES\WORK\80000\80209SITEPLAN.DWG

CNA
campbell & nolan associates, inc.

Civil Engineers * Land Surveyors * Geotechnical Engineers
P.O. Box 441 * Bel Air, Maryland 21014-0441
(410)879-7200 * (410)838-2784 * Fax(410)838-1811

SITE PLAN
LOT 2
BLOCK B
SUBDIVISION OF PART OF
NEDROW PROPERTY

FOR: GUNPOWDER BUILDERS
ELECTION DIST. NO.11 BALTIMORE COUNTY MD.

SCALE: 1"=30'	DATE: 6-15-99	DRAWN BY: JSC CTMc	JOB NO.: 80209
---------------	---------------	--------------------	----------------

99.514-A

NE 145

99-514-A

R.C. 5

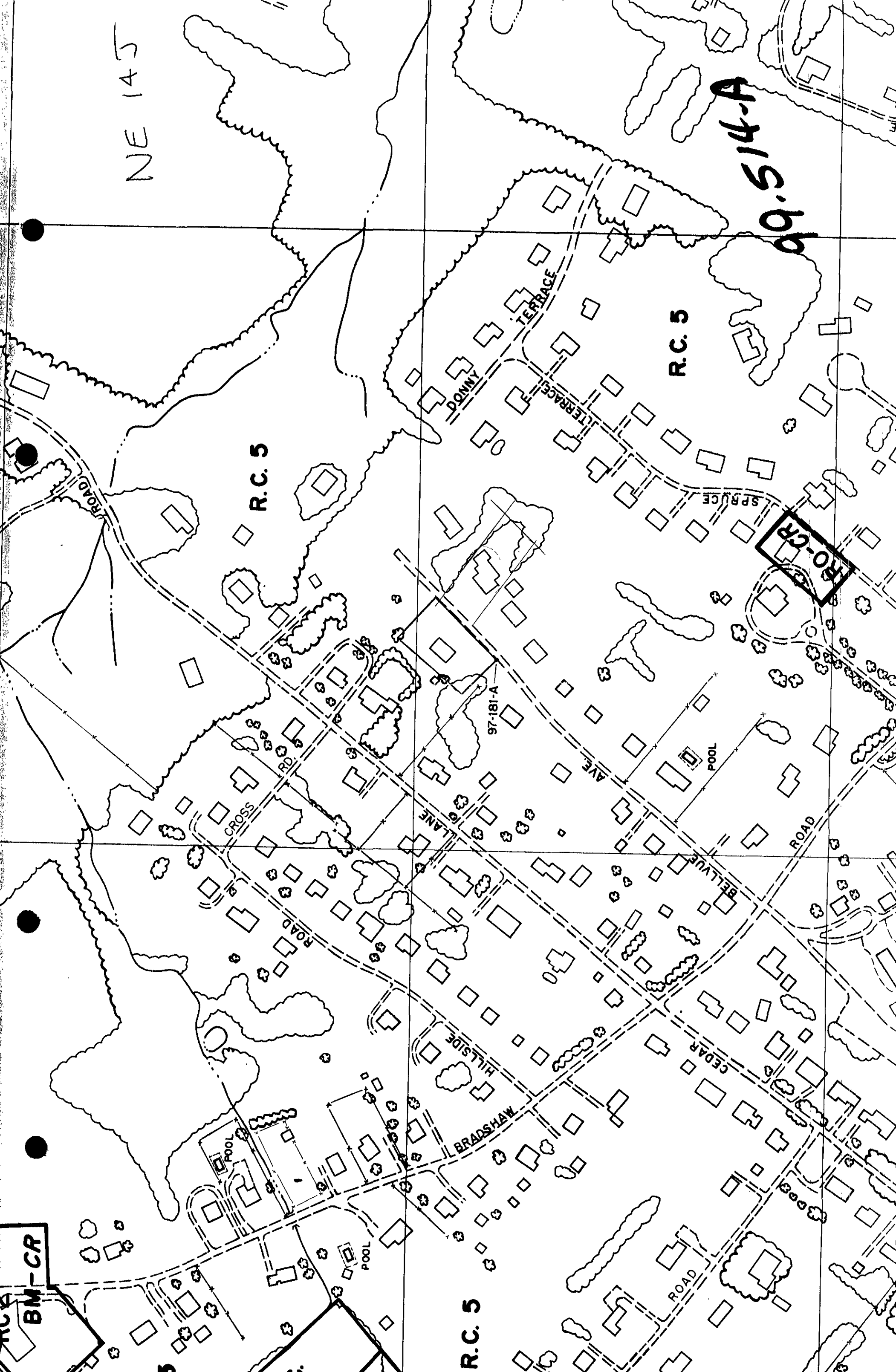
R.C. 5

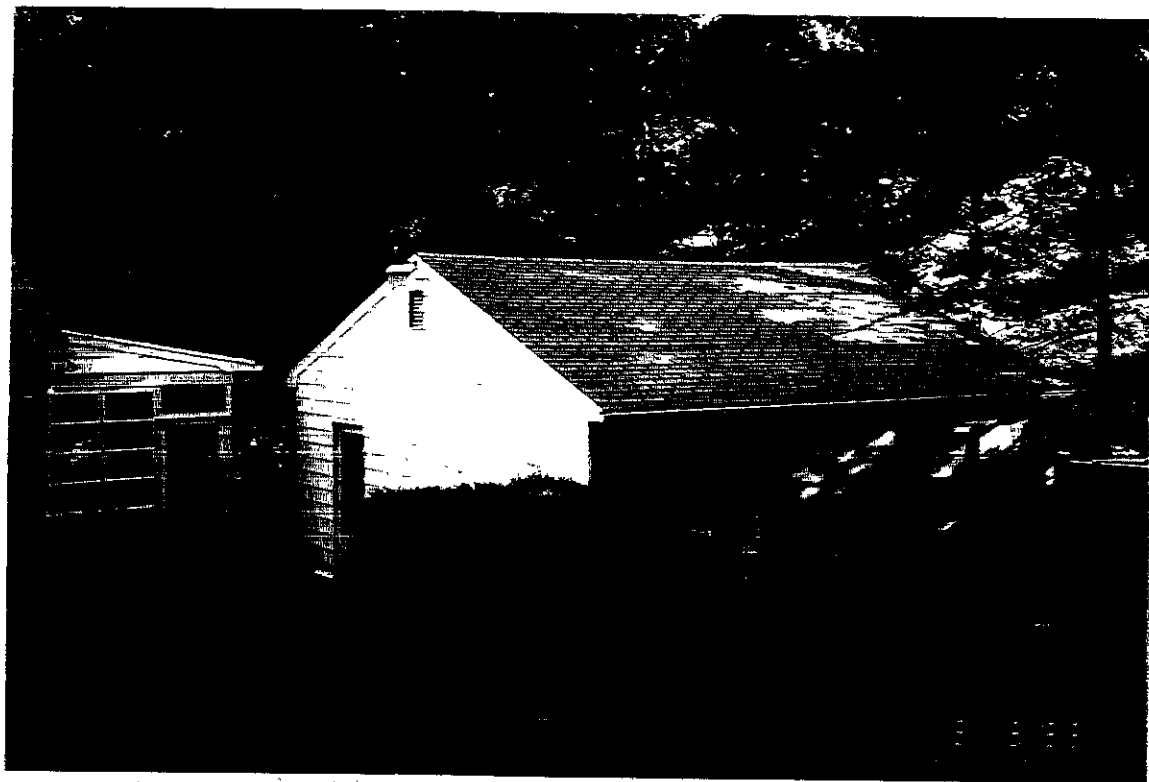
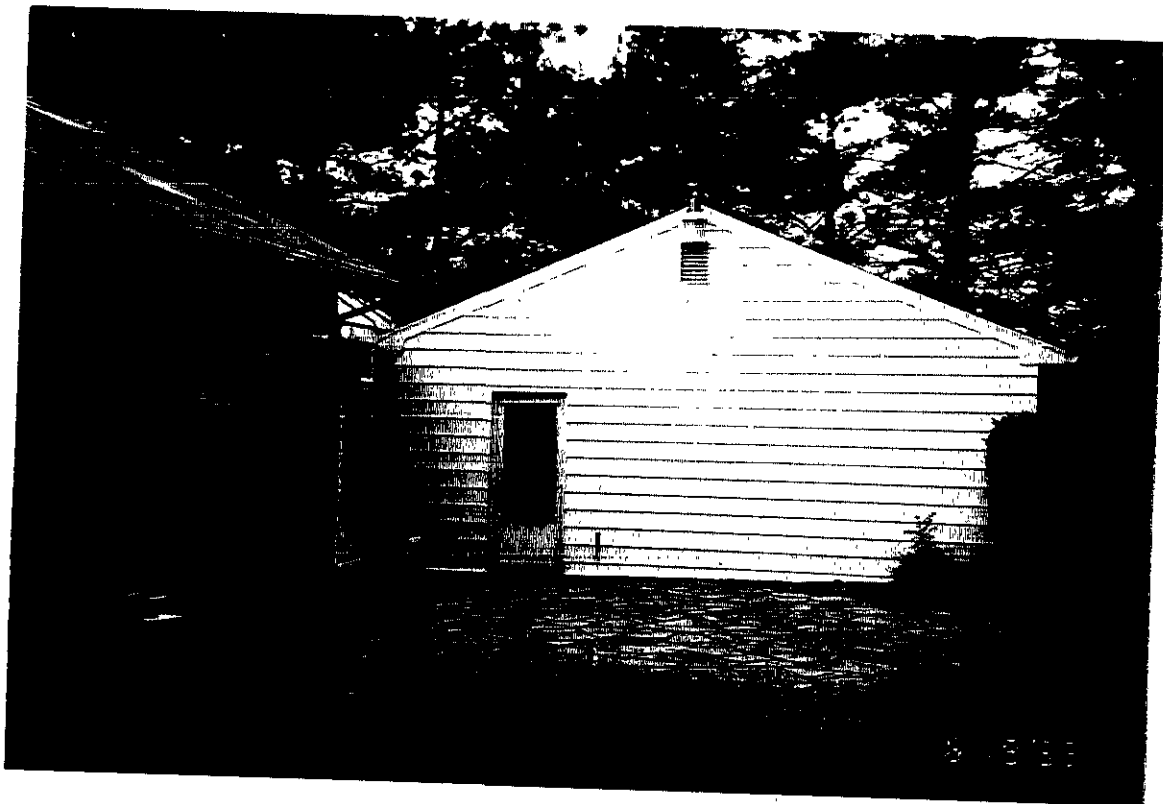
R.C. 5

97-181-A

R.C. 5

BM-CR





99.514-A

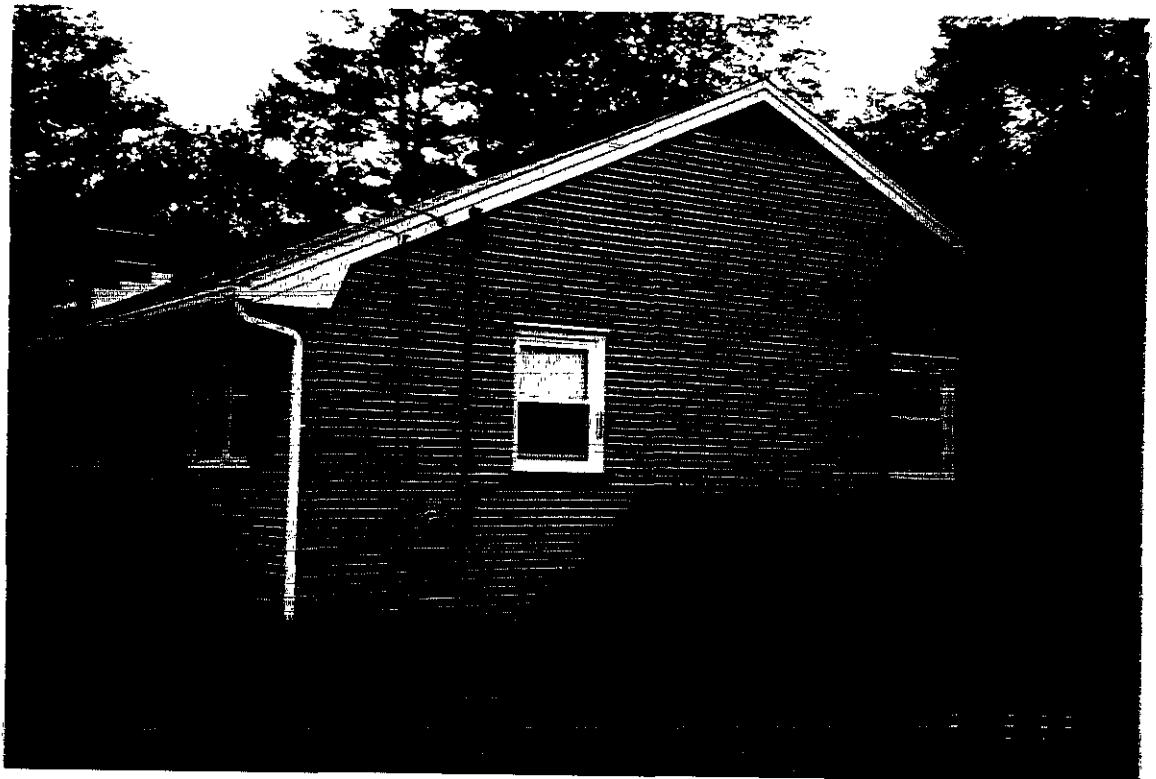
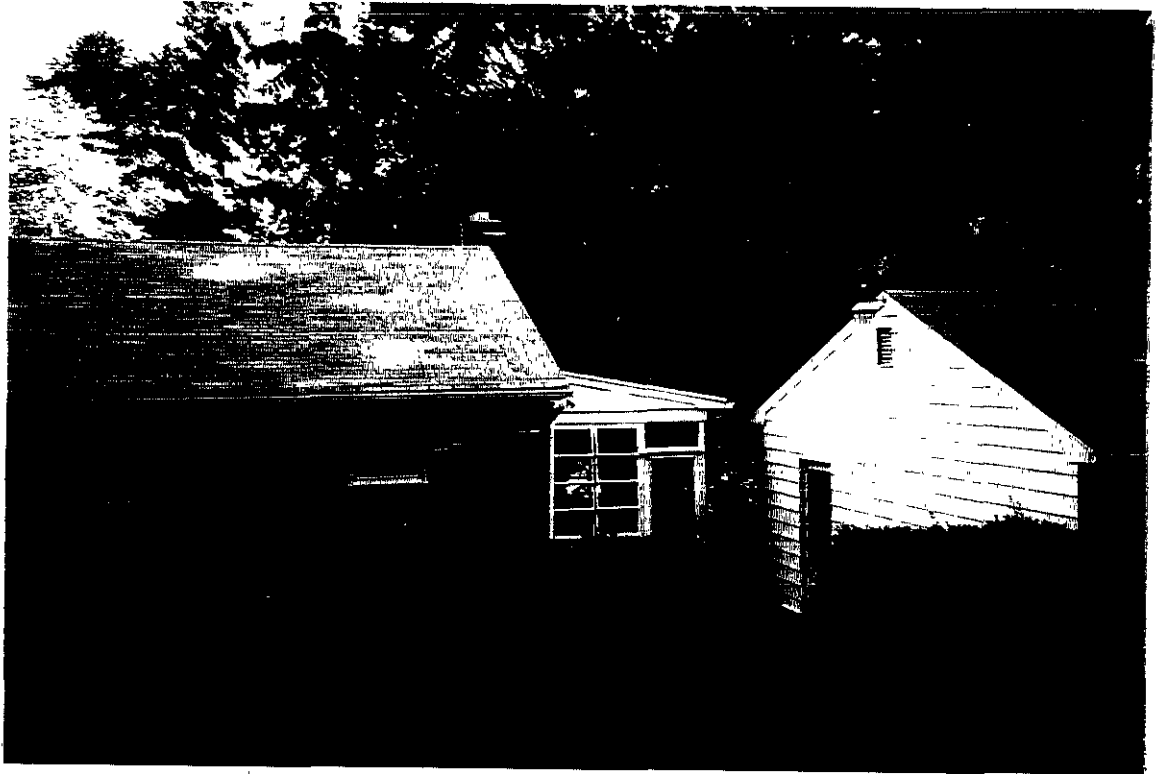
Wayne Martin's Tree Service



SHRUBBERY CARE • FEEDING • LANDSCAPING
TREE REMOVAL • TRIMMING • LEAF REMOVAL
FREE ESTIMATES • LIC #434

Wayne Martin
(410) 356-3381
(410) 840-0082

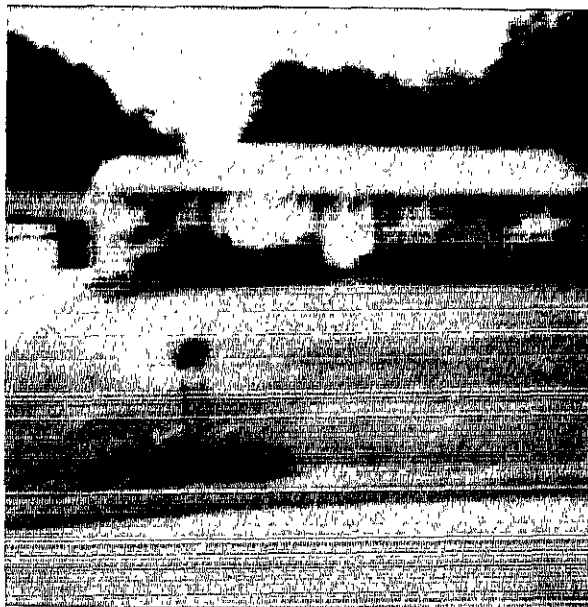
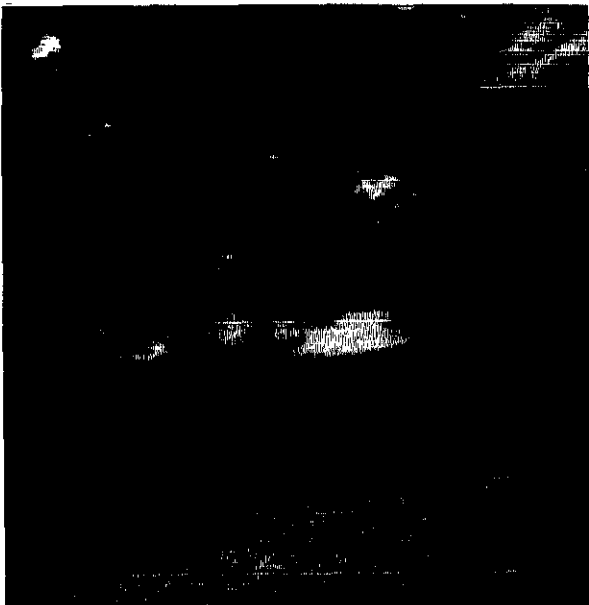
2568 S. John Owings Road
Westminster, MD 21158



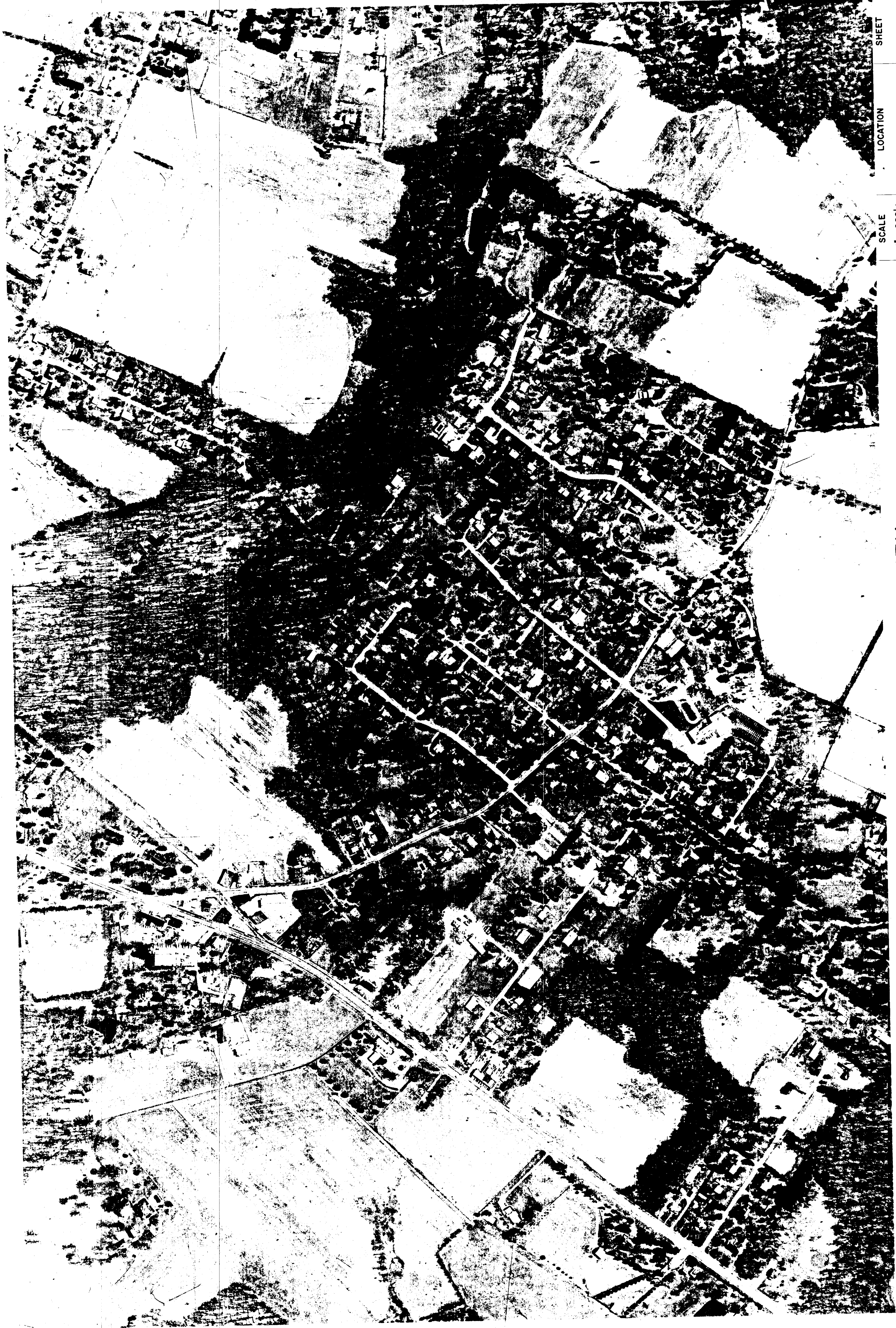
99-514-A



99-514-A



99-514-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

KINGSVILLE

SHEET

N.E.
14-J